

Appl. No. 10/797,294
Amtd. Dated August 21, 2007
Reply to Office Action of May 21, 2007

••• R E M A R K S / A R G U M E N T S •••

The Official Action of May 21, 2007 has been thoroughly studied. Accordingly, the following remarks are believed to be sufficient to place the application into condition for allowance.

By the present amendment claims 1-10 have been canceled without prejudice or disclaimer. Applicant preserves his right to seek patent protection for the subject matter of claims 1-10 by filing one or more continuation applications during the pendency of the present application.

Claims 1-10 are being cancelled merely to expedite the allowance of claims 11-32 so as to provide applicant patent protection for his invention.

Also by the present amendment, the limitations of claim 19 have been incorporated into independent claim 11 so that independent claim 11 requires a rotatable cam that can be selectively rotated (independently of the first head restraint support) between the latched and unlatched positions.

Claim 19 has been canceled in favor of the amendments to claim 11 and claim 20 has been changed to be dependent upon claim 18.

Entry of the changes to the claims is respectfully requested.

Claims 11-18 and 20-32 are pending in this application.

Claims 1-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,129,421 to Gilson et al.

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On page 3 of the Office Action the Examiner has objected to claims 19-32 as being dependent upon a rejected base claim, but has otherwise indicated that claims 19-32 would be allowable if rewritten in independent form.

For the reasons set forth below, it is submitted that all of the pending claims are allowable over the prior art of record and therefore, each of the outstanding prior art rejections should properly be withdrawn.

Favorable reconsideration by the Examiner is earnestly solicited.

Claim 19 which the Examiner noted was directed to allowable subject matter recited that the cam was rotatable.

The Examiner has relied upon Gilson et al. as showing:

...the use of a first and second head restraint (41) a bracket (34) and a cam (66) with a latch mechanism (64).

Independent claim 11 has been amended to incorporate the limitations of claim 19 and to further recite that the rotatable cam be selectively rotated (independently of the first head restraint support) between the latched and unlatched positions.

Element 66 of Gilson et al. which the Examiner has interpreted as reading on applicant's claimed cam, is actually disclosed by Gilson et al. as being a "lock pin" that "automatically engages a hole 67 formed through the support portion 68 of the base 34 to positively lock the headrest 40 in the upright position."

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As the Examiner has no doubt concluded by indicating that the limitations of claim 19 were allowable over Gilson et al., the cam 66 ("lock pin") Gilson et al., does not rotate and certainly cannot be selectively rotated (independently of the first head restraint support) between latched and unlatched positions.

Accordingly, it is submitted that Gilson et al. does not anticipate applicant's invention as recited set forth in independent claim 11, or claims 12-18 and 20-32 which depend from claim 11.

It is submitted that the claims, as now amended, and the discussion contained herein clearly show that the claimed invention is novel and neither anticipated nor obvious over the teachings of the prior art and the outstanding rejection of the claims should hence be withdrawn.

Therefore, reconsideration and withdrawal of the outstanding rejection of the claims and an early allowance of the claims is believed to be in order.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

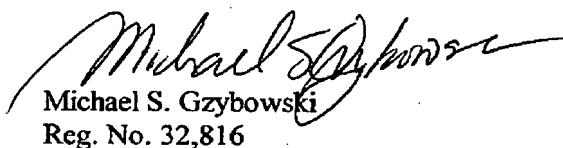
If upon consideration of the above, the Examiner should feel that there remain any outstanding issues in the present application that could be resolved; the Examiner is invited to contact applicants' patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of

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time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,



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